

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA )  
v. ) Case No. 3:19-CR-176  
ELVER PEREZ SUAREZ )

## ORDER

On January 25, 2021, United States Magistrate Judge C. Clifford Shirley conducted a change of plea hearing and filed a Report and Recommendation (“R&R”) recommending:

(1) that the Court find that the plea hearing in this case could not be further delayed without serious harm to the interests of justice; (2) that the defendant’s plea of guilty to the charges in Counts One and Three of the Indictment be accepted; (3) that the defendant be found guilty of those charges; (4) that a decision on whether to accept the plea agreement be deferred until sentencing; and (5) that the defendant remain in custody until his sentencing hearing. [Doc. 62]. No objections have been filed to the R&R, and the time for doing so has now passed. *See* Fed. R. Crim. P. 59(b)(2).

The Court has thoroughly reviewed the R&R. Having done so, Magistrate Judge Shirley's R&R [Doc. 62] is **ACCEPTED** and **ADOPTED** in full.

Pursuant to 28 U.S.C. § 636(b)(1), it is **ORDERED** that:

1. The plea hearing conducted in this case on January 25, 2021, could not have been further delayed without serious harm to the interests of justice;

2. The defendant's plea of guilty to Count One of the Indictment, that is, of knowingly conspiring to commit wire fraud, in violation of 18 U.S.C. §§ 1343 and 1349, and Count Three of the Indictment, that is, of committing aggravated identity theft, in violation of 18 U.S.C. §§ 2 and 1028A(a)(1), (b), and (c)(4) and (5), is **ACCEPTED**;
3. The defendant is **ADJUDGED** guilty of Counts One and Three of the indictment;
4. The decision whether to accept the parties' plea agreement is **DEFERRED** until sentencing; and
5. The defendant shall remain in custody until sentencing, which is scheduled to take place on **Tuesday, May 18, 2021, at 10:00 a.m.** in Knoxville.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge